

AMENDED

Serial No. 28114

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

FEB 19 1974

Date of filing in State Engineer's Office

Returned to applicant for correction

MAR 21 1974

Corrected application filed

MAY 16 1974

Map filed

MAY 16 1974

The applicant Don R. Smith

Chilton Engineering, 421 Court, of Elko
Street and No. or P.O. Box No. City or TownNevada 89801
State and Zip Code No.

, hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

1. The source of the proposed appropriation is Underground Well #1
Name of stream, lake or other source.
2. The amount of water applied for is 9.0 cfs second-feet
One second-foot equals 448.83 gals. per min.
(a) If stored in reservoir give number of acre-feet acre-feet
3. The water to be used for Irrigation
Irrigation, power, mining, manufacturing, domestic, or other use.
4. If use is for:
(a) Irrigation (state number of acres to be irrigated) 880 acres
(b) Stockwater (state number and kinds of animals to be watered)
(c) Other use (describe fully under "No. 12. Remarks")
(d) Power:
(1) Horsepower developed
(2) Point of return of water to stream
5. The water is to be diverted from its source at the following point: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 31, T.22N., R.49E., M.D.M., at a point from which the SW corner of said Section
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,
31 bears S. 10° 58' W 2690.00 feet
it should be stated.
6. Place of use Portions of Section 36, T.22N., R.48E., and all of Section
Describe by legal subdivision, if on unsurveyed land it should be so stated.
31, T.22N., R.49E., M.D.M.
7. Use will begin about January 1 and end about December 31, of each year.
Day and Month Day and Month
8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Drilled and cased well, ditches and laterals
State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

9. Estimated cost of works.....\$10,000.00
10. Estimated time required to construct works.....3 years
11. Estimated time required to complete the application to beneficial use.....5 years
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Please send copies of all notices and correspondence to:

Buck Seaman, Box 121, Eureka, Nevada 89316

Applicant.....Don R. Smith

By.....s/Mark Chilton

Agent

Compared.....cm:lk bs/lk

421 Court

Elko, Nevada 89801

APPROVAL.....OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions: This permit is issued subject to all existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level at permittee's well due to other ground water development in the area. A substantial weir or other type of measuring device must be installed and measurements of water use kept. The well shall be equipped with a 2-inch opening for measuring depth to water. If well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water herein granted at any and all times.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed.....6.0.....cubic feet per second, but not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Actual construction work shall begin on or before.....April 3, 1975

Proof of commencement of work shall be filed before.....May 3, 1975

Work must be prosecuted with reasonable diligence and be completed on or before.....April 3, 1976

Proof of completion of work shall be filed before.....May 3, 1976

Application of water to beneficial use shall be made on or before.....April 3, 1979

Proof of the application of water to beneficial use shall be filed on or before.....May 3, 1979

Map in support of proof of beneficial use shall be filed on or before.....May 3, 1979

Commencement of work filed.....IN TESTIMONY WHEREOF, I, ROLAND D. WESTERGARD,
Completion of work filed.....State Engineer of Nevada, have hereunto set my hand and the seal of
Proof of beneficial use filed.....my office, this 3rd day of October

Certificate No.....Issued.....A.D. 1974
Recorded.....CANCELED.....JUN 6 1975.....BECAUSE OF FAILURE
OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMITS
County Recorder

State Engineer

18 (Rev.)
Roland D. Westergard
State Engineer